

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

_____	)	
FEN CHEN,	)	
	)	
Appellant,	)	
	)	
v.	)	Civil Action No. 06-0074
	)	
SHERMAN ACQUISITIONS,	)	
	)	
Appellee.	)	
_____	)	

ORDER

This matter comes before the Court on Appellee's Motion to Dismiss. Pursuant to Fed. R. Bankr. P. 8002, "the notice of appeal shall be filed with the clerk within 10 days of the date of the entry of the judgment, order, or decree appealed from." Appellant seeks to appeal the November 9, 2005, Order of Bankruptcy Judge Robert G. Mayer. However, Appellant did not file his Notice of Appeal until December 15, 2005. Therefore, it appearing to the Court that Appellant's Notice of Appeal is untimely under Fed. R. Bankr. P. 8002, it is hereby

ORDERED that Appellee's Motion to Dismiss is GRANTED and this case is DISMISSED.

/s/

\_\_\_\_\_  
CLAUDE M. HILTON  
UNITED STATES DISTRICT JUDGE

Alexandria, Virginia  
April 28, 2006